

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS PENSION FUND, NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS WELFARE  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS VACATION FUND, NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS ANNUITY  
FUND, NEW YORK CITY DISTRICT COUNCIL  
OF CARPENTERS APPRENTICESHIP, JOURNEYMAN  
RETRAINING, EDUCATIONAL AND INDUSTRY  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS CHARITY FUND, and THE NEW YORK  
CITY AND VICINITY CARPENTERS LABOR  
MANAGEMENT COOPERATION FUND,  
by MICHAEL J. FORDE, and PAUL O'BRIEN,  
as TRUSTEES

07 CV 4040 (PKC)  
ECF CASE

CLERKS  
CERTIFICATE

Plaintiffs,

-against-

PETER R. SMITH INC.,

Defendant.

-X

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on May 23, 2007 by filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the defendant, Peter R. Smith Inc., on May 30, 2007, by delivering one (1) true copy thereof to Donna Christie, an authorized clerk in the Office of the Secretary of State of the State of New York, and proof of service being filed on June 4, 2007, and by registered mail to Peter R. Smith Inc., 25 Old Camplain Road, Hillsborough, NJ 08844 on May 25, 2007, and proof of service being filed on May 29, 2007

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to complaint herein. The default of the defendant is hereby noted.

Dated: Aug 2, 2007  
New York, New York

**J. MICHAEL MCMAHON**  
Clerk of the Court

By: R  
Deputy Clerk